

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
CHARLOTTESVILLE DIVISION

JUL 30 2007
JOHN F. CORCORAN, CLERK
BY: *[Signature]*
DEPUTY CLERK

KENNETH W. HAMSHAR,) CASE NO. 3:06CV00052
Plaintiff)
v.) REPORT AND RECOMMENDATION
MICHAEL J. ASTRUE,) By: B. Waugh Crigler
Commissioner of Social Security,) U. S. Magistrate Judge
Defendant)

Upon stipulation for payment of attorney fees received by the court on July 27,
2007, it is

R E C O M M E N D E D

that an Order enter awarding counsel for plaintiff, C. Cooper Geraty, Esq. the sum of Five
Thousand Four Hundred and 00/100 Dollars (\$5,400.00) in counsel fees under the EAJA, 28
U.S.C. § 2412 *et seq.*

The Clerk is directed to immediately transmit the record in this case to the
presiding District Judge. Both sides are reminded that pursuant to Rule 72(b) they are entitled to
note objections, if any they may have, to this Report and Recommendation within (10) days
hereof. Any adjudication of fact or conclusion of law rendered herein by the undersigned not
specifically objected to within the period prescribed by law may become conclusive upon the

parties. Failure to file specific objections pursuant to 28 U.S.C. § 636(b)(1)© as to factual recitations or findings as well as to the conclusions reached by the undersigned may be construed by any reviewing court as a waiver of such objection. The Clerk is directed to send a certified copy of this Report and Recommendation to all counsel of record.

ENTERED:


Judge


Date

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
CHARLOTTESVILLE DIVISION

KENNETH W. HAMSHAR,

Plaintiff

v.

MICHAEL J. ASTRUE,¹

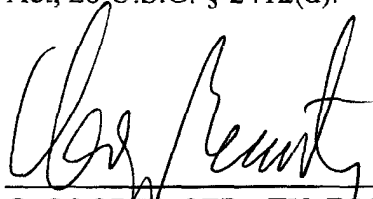
Commissioner of
Social Security

Defendant.

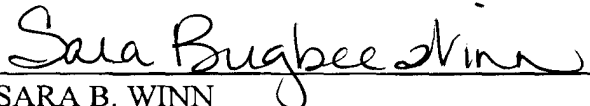
CIVIL ACTION NO. 3:06CV00052

STIPULATION FOR PAYMENT OF ATTORNEY FEES

The parties in the above-captioned action, through counsel, agree and stipulate that the Defendant shall pay to Plaintiff's attorney, C. Cooper Geraty, Esquire, the total sum of Five Thousand, Four Hundred Dollars (\$ 5,400.00) in attorney fees under the Equal Access to Justice Act, 28 U.S.C. § 2412(d).


C. COOPER GERATY, ESQUIRE

JOHN L. BROWNLEE
UNITED STATES ATTORNEY

By: 
SARA B. WINN
ASSISTANT UNITED STATES ATTORNEY
VSB# 35924

COUNSEL FOR PLAINTIFF

COUNSEL FOR DEFENDANT

APPROVED AND SO ORDERED:

J.

Date

¹ On February 12, 2007, Michael J. Astrue became the Commissioner of Social Security. Pursuant to Rule 25(d)(1) of the Federal Rules of Civil Procedure, Michael J. Astrue should be substituted, therefore, for Commissioner Jo Anne B. Barnhart as the defendant in this suit. No further action need be taken to continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).